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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,236	07/31/2003	Joshua S. Allen	RSW920030080US1	2538
45541	7590	08/13/2008		
HOFFMAN WARNICK LLC 75 STATE ST 14TH FLOOR ALBANY, NY 12207			EXAMINER WAI, ERIC CHARLES	
			ART UNIT	PAPER NUMBER
			2195	
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			08/13/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/632,236	Applicant(s) ALLEN, JOSHUA S.	
	Examiner ERIC C. WAI	Art Unit 2195	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-17 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saboff et al. (US Pat No. 6,185,734) in view of Applicant's Admitted Prior Art (AAPA).

4. Regarding claim 6, Saboff teaches a method comprising:

dynamically adding a resource to at least one application in a server without having to restart the application and without losing session information in the application (col 2 lines 51-53, wherein a library reference is a resource),

wherein the adding is performed indirectly through a registry which acts as an intermediary between the at least one application and the resource and has a duty to serve the resource (col 2 lines 47-51, 53-55).

5. Saboff does not teach that the resource is a JAVA resource and that the application is a web application. Saboff is directed to generic computing platform that utilizes linked libraries. AAPA teaches the use of web applications that utilize JAVA

([0002]). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Saboff to be used in a web application/JAVA environment. One would be motivated by the desire to remove the inconvenience of having to restart applications when making changes to libraries (col 2 lines 10-23).

6. Regarding claim 7, AAPA teaches that the Java resource comprises a Java ResourceBundle ([0003]).

7. Regarding claim 8, AAPA teaches the Java resource is selected from the group consisting of a new Java resource and an updated Java resource ([0019]).

8. Claims 1-5, and 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saboff et al. (US Pat No. 6,185,734) in view of Applicant's Admitted Prior Art (AAPA), further in view of Tyrell, III (US Pat No. 7,062,527).

9. Regarding claim 9, Saboff teaches the method comprising:
detecting an availability of the resource (col 2 lines 53-55);
installing the resource (col 2 lines 44-45);
receiving a request for the resource from the application (col 2 lines 59-64,
wherein the application request to use the a service); and

providing the resource to the application (col 2 lines 47-53, wherein the application is linked to the updated library).

10. Saboff and AAPA does not teach the use of a resource lookup web application or the step of advertising the Java resource to the web application.

11. However, Tyrell teaches a server that periodically checks resource information and notifies hosts of any changes that may have occurred (col 13 lines 12-25). In the system of Tyrell, the resources are pooled together and the status is updated in a database (col 13 lines 26-31). Tyrell teaches that his system would be useful in an environment where servers are constantly starting up and shutting down.

12. Saboff teaches the use of an interface library that acts a registry keeping track of multiple versions of software libraries (col 2 lines 47-64). It would have been obvious to one of ordinary skill in the art at the time of the invention to include a resource lookup application. One would be motivated by the desire to have a centralized registry for checking the status of resource availability. It would have also have been obvious to one of ordinary skill in the art, to install and advertise resources to web applications. One would have been motivated by the desire to notify the applications of changing resource availability as evidenced by Tyrell.

13. Regarding claims 1-4, they are the rejected for the same reasons as claims 6-9 above.

14. Regarding claim 5, AAPA teaches installing the resource into the resource lookup web application causes the resource lookup web application to lose session information ([0002]).

15. Regarding claims 10-17, they are the system and program product claims of claims 6-9 above. Therefore, they are rejected for the same reasons as claims 6-9 above.

Response to Arguments

16. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric C. Wai whose telephone number is 571-270-1012. The examiner can normally be reached on Mon-Thurs, 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng - Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2195

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Meng-Ai An/
Supervisory Patent Examiner, Art Unit 2195

/Eric C Wai/
Examiner, Art Unit 2195